

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BARBARA HANKINSON, et al.	:	
Plaintiffs,	:	CIVIL ACTION
	:	
v.	:	
	:	
U.S. DEPARTMENT OF HOUSING	:	
AND URBAN DEVELOPMENT, et al.	:	No. 10-193
Defendants.	:	

ORDER

AND NOW, this ___ day of **August 2010**, upon consideration of Defendant HUD's Motion to Dismiss the Second Amended Complaint or in the Alternative, for Summary Judgment, and Plaintiffs' response thereto, it is hereby **ORDERED** that HUD's motion (Document No. 31) is **GRANTED in part, and DENIED in part** as follows:

1. The motion to dismiss is **GRANTED** as to Plaintiffs takings claim.
2. The motion to dismiss is **DENIED** in all other respects.
3. The motion in the alternative for summary judgment is **DENIED without prejudice**, as it is premature.

BY THE COURT:



Berle M. Schiller, J.